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AN ASSAULT ON OUR LIVES

ROBERT BERNSTEIN / JUL 10 2020 11:22 AM / BYSBROBERT / 49 COMMENTS /
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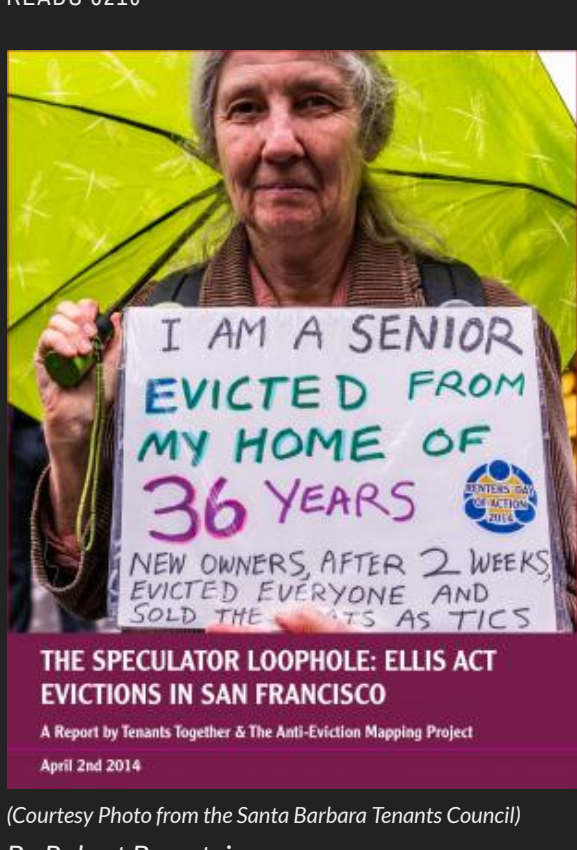
I AM A SENIOR EVICTED FROM MY HOME OF 36 YEARS
NEW OWNERS, AFTER 2 WEEKS, EVICTED EVERYONE AND SOLD THE UNITS AS TICS
THE SPECULATOR LOOPHOLE: ELLIS ACT EVICTIONS IN SAN FRANCISCO
A Report by Tenants Together & The Anti-Eviction Mapping Project
April 2nd 2014

(Courtesy Photo from the Santa Barbara Tenants Council)

By Robert Bernstein

Greetings to my loyal fans. I wanted to check in and explain my absence from posting.

What would you call it if someone caused you to lose your home of 31 years through no fault of your own? If that person disrupted every aspect of your life and cost you large sums of money?

That is what has just happened to my wife and me. A new owner bought the apartment four-plex that I have lived in for 31 years in Goleta. They claimed they were not going to raise the rent; they just wanted to make things nice for the people who lived here. They asked if there was anything we residents needed and we just mentioned a few small things like legal mailboxes and recycle bins that didn't fill up before they were collected.

Well, in a matter of a few weeks they tried to raise the rent quite a bit. But there is a new state rent control law, AB-1482, The Tenant Protection Act of 2019. It limits how much an owner can raise the rent on a tenant. They seemed shocked that they were limited in how they could treat the residents.

Unfortunately, there are two huge loopholes that are big enough to drive a truck through. One is that the owner can claim that renovations are planned that are so major that it will require the tenant to completely move out. The other is that the owner can claim that they are planning to make your unit their primary residence. They don't have to offer any proof. They just have to make the claim and then they can throw you out. It does not matter that it may have been your home for decades and that the owner has just bought the building.

We are in total survival mode right now. Trying to sort and pack 31 years of belongings. And trying to find a new place to live in an environment that is very different than how Goleta was in 1989. When I inherited the place from a good friend who was moving away. And when the owner was a sweet older couple who lived in one of the units.

Some have said that this is just the risk one takes as a renter. But that is not true in civilized countries where renting is normal for most people. Yes, I could have bought a place years ago. But I had no interest in the "American Dream" of home ownership. I just wanted to have a pleasant place to live and not be thinking of my housing as a profit center.

Does it seem fair that one can pay enough to have bought the building over the course of 31 years, yet someone has the "right" after a matter of weeks to take all of that away?

All of my life I have worked for social justice and for a more perfect world for everyone. I am not used to being on the receiving end of social injustice. I very much appreciate all of the kind words and offers of help from strangers and friends alike.

And I am happy to report that there is a new organization forming called the Santa Barbara Tenants Council that will be organizing on these issues. But it may be a marathon effort to achieve justice. Not soon enough for us or for at least one of my best friends who is in the same situation.

Here is their new Facebook page: https://www.facebook.com/sbtenantscouncil/

I could say more, but mostly I just wanted to explain why it may be awhile before I have time to post much for my column here on Edhat.

As you may know, I have a new column this year in the Montecito Journal and I may write something there as well. Thank you again for your understanding and I look forward to being able to have the time and resources to write here again.

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IDESOFMARCH JUL 11, 2020 03:30 AM

"Inherited the place from a good friend" -didn't actually find the place himself. " the owner was a sweet older couple who lived in one of the units." -the rent hasn't been raised much, if at all, in 30 years. "a new owner bought the apartment four-plex, in a matter of a few weeks they tried to raise the rent quite a bit" -someone came along with the cash to buy the property, and is now looking to raise the rent to the current rental market rate. Title of commentary "AN ASSAULT ON OUR LIVES". Ok.jpeg. I don't feel sorry for the guy at all, this is not a "social injustice", this is LIFE. Though I do admire the luck he had in keeping a residence here in town far below what everyone else is paying, for that long.

KEW JUL 10, 2020 09:27 PM

Robert I am so sorry that the new owners are being so unreasonable. Try to hold it together. I am sure, that with the help of Edhat readers, you will find a new home soon. I, too, am also a renter, by choice/preference. I've always thought of a housevas an endless money pit. My parents owned a lot of income property all over L.A. and I can't tell you how it ran our lives. Then, growing up in a 3-bedroom house, I swore that I would never want to own a house. It's just one big headache. Endless cleaning and upkeep (mowing , raking , dusting, plumbing, heating, ac, roofing, tenting, kitchen remodel, bath remodel, powerwashing, painting, on and on. It's just not what I value or the way that I want to spend my weekends. Thing is, today, Santa Barbara's got an inordinate number of retired seniors living ALONE in a large house (the American Nightmare) And, now, in their senior years, they have to get out there and do ALL of that upkeep on their own or pay someone they trust to do it. And, this only happens if they have the spare cash to make repairs/improvements on their limited income. I know this is true because I've heard it from many, many friends, again and again. They say, "You are so lucky that you rent! I wish I'd never owned this property!" Sending out good rental vibes to you, Robert! Hope you find something reasonable that you can call Home Sweet Home!

MACPUZL JUL 10, 2020 08:36 PM

Apparently, to the pestilential band of con commenters that have invaded Edhat over the last couple of years, money is the sole measure of importance in life. In their view, a sense of home and community don't matter. People can just move somewhere else, since they're only interchangeable cogs in the money machine, there to be exploited.

IDESOFMARCH JUL 11, 2020 03:35 AM

Regarding the "the pestilential band of con commenters", could it be that, instead of people believing that money is the sole measure of importance" is it possible that those commenters are instead advocating for being self sufficient and not whining for a handout when things don't go their way? Is ignoring the fact that money is a tool while relying on others to gofundyou or provide a government handout or in this case, an entitled sense of property owners owing it to residents to keep the rent below what everyone else is paying now some kind of societal aspiration?

CHEMICALSUPERFREAK JUL 10, 2020 10:16 PM

I like circular rings of rocks placed around the grass on my front lawn, as they reflect a modicum of sunlight that otherwise could be absorbed by the surrounding grass, which produces O2 and reduces the CO2 in the atmosphere, The grass rocks help destroy the environment.

MACPUZL JUL 10, 2020 08:55 PM

Non-sequitur whataboutism.

CHEMICALSUPERFREAK JUL 10, 2020 08:44 PM

MAC: You have a nice house in a great neighborhood. You are lucky and obviously made good decisions.

CHEMICALSUPERFREAK JUL 10, 2020 08:25 PM

Okay, here's a great time to address a few shortcomings of our education system. The primary focus of high school education should revolve around surviving in the current world. Priorities should be in personal finance, such as avoiding predatory lending with credit cards and other loans, in addition to learning to budget expenses, and then personal health, such as nutrition and hygiene.

AHCHOOO JUL 10, 2020 09:03 PM

I do think basic financial literacy should be taught in schools, because many kids have parents who are financially illiterate, so they won't learn money sense at home. But I don't think that pertains to Robert's current situation, or renters in general. Homeownership is not for everybody, for many different reasons.

GENERALTREE JUL 10, 2020 08:49 PM

CHEMICAL - really dumb comment do you have kid? My kid get that learning at home. He excels above and beyond in math and science. Why bore him? Should he not have a chance to excel? That sounds rather socialist.

SBTOWNIE JUL 10, 2020 08:09 PM

I'm sorry to hear of Robert's troubles, and I can imagine it is very painful and stressful to have to move. People do understand that when a building is sold, the costs to the new owner are NOT the same as they were to the prior owner, right? Property tax base goes up wildly. New buyer probably has to pay a mortgage (a building someone bought 31 years ago may have been purchased for a very low price and long since paid off). Landlords don't just go around trying to sabotage people's lives. Yes, there are some bad ones. I am growing very tired, though, of the idea that landlords should provide housing as a charity case. It is wildly expensive to maintain housing between taxes, mortgage interest, premiums, insurance, and so on. Robert would know that if he had ever been a property owner. I would cut off my left arm to have been able to purchase property in Santa Barbara 31 years ago. My husband and I would certainly be living much better than we are now, as costs have truly shot up.

SHASTA GUY JUL 10, 2020 07:32 PM

No need to scrutinize Robert, just wish him well. He's shared so much natural beauty with us that always lifts my spirits!

WINTER JUL 10, 2020 04:51 PM

A lot of judgments here....most of my friends, grew up here...took over modest family homes, from their parents, grandparents...they did not buy there own homes.

BIRD JUL 10, 2020 03:33 PM

Robert, I am very sorry and wish you the very best luck in finding someplace you and your wife like! You ask, "What would you call it if someone caused you to lose your home of 31 years through no fault of your own? If that person disrupted every aspect of your life and cost you large sums of money?" I would call the situation, "housing reality", especially in desirable locations. I am not sure there are many places now in this country which provide rent stability, without having that rent move up (rarely, if ever down) with the "fair" market value. I am not sure how the new owner cost you "large sums of money," unless you're referring to the rental prices you'll have to pay for housing similar to what you've had. But, whatever, really good luck!

CHEMICALSUPERFREAK JUL 10, 2020 03:29 PM

I have no idea what his monthly rent was, but average rent in Goleta is just over $2000/mo, so let's use that. Over 31 years that's $744,000. 31 years ago you could have bought a home in Goleta for less than that, and today it would probably be worth double or triple, which if you sold it and retired somewhere with cheaper home prices you could buy another house without financing and have a lot of money left over to live on. That's called an investment. Furthermore, with a little bit of thought you can expense many things such as home and car payments if you can justify it as an operating cost for a home business, etc. There are some people who plan for the future, and others that don't. Robert threw away three quarters of a million dollars and has nothing to show for it. This should be a lesson to everyone, particularly in this gig economy. Do not pay to have food delivered when you can get it yourself, or just cook it. Do not Uber when you can drive yourself (unless drinking). Do not pay for stupid cosmetic upgrades for your videogame character. Technology today makes it so easy to give away your hard earned money and have zero tangible items to show for it. Ownership is security, plain and simple.

SEMAG JUL 10, 2020 10:54 PM

@Generaltree- I have empathy for Robert here and his predicament and I understand it sucks to move. I take offense at the second half of this article that doesn't understand economics and is super entitled stating that he shouldn't have to move because he's lived in someone else's property for a long time. That is the life of a renter and it is a choice that is made. He has saved on upkeep and taxes and insurance that whole 31 years. Those "rent vs. buy" calculators provide solid math on the benefits of renting and dumping the savings into the market, the downside is stability, being forced to move, and lack of control over property. I don't appreciate my generation being called entitled when I see the kind of complaint that is provided - not to mention there are lots of manufactured homes that sell in the area for sub $400k or even sub $300k...

BIRD JUL 10, 2020 09:35 PM

Too true, but I think it unfortunate (and unnecessary) to rub salt in wounds. I doubt that's what anyone here intends to do but one thing I've learned over the course of life is be open to learning from even the more difficult and painful of situations. Sometimes the harder, the more painful the lesson, the more learned. And to not expect that others will see things as I do, but when they do, yay!

GENERALTREE JUL 10, 2020 08:51 PM

Freak. I don't need to ignore it. Many people decided not to buy. I don't see him complaining about finances but you chose that narrative. Also, being a senior and having to move during a pandemic. You seem to conveniently have missed most of his post.

CHEMICALSUPERFREAK JUL 10, 2020 08:15 PM

TREE: You're conveniently ignoring the fact that Robert admits, himself, that he chose not to own. Nothing stopped him from paying that monthly rate to the bank as opposed to a landlord. Same check, just addressed to different entities. Had he given his money to the bank he would have acquired equity. A house in Goleta 31 years later, given the insane escalation of home prices in CA, would have netted him a very nice profit and he would be enjoying that right now rather than complaining. Unless there is something he didn't add to his article, I really don't see how he was prevented from taking advantage of ownership.

CHEMICALSUPERFREAK JUL 10, 2020 08:09 PM

SEMAG: However you calculate it, Robert would have more money right now in pocket had he not given his money to the landlord. Renting, which I've done, is always terrible for the renter.

GENERALTREE JUL 10, 2020 07:24 PM

I didn't see Robert saying he didn't have any investments, or that he didn't have money, or he was broke. The landlord is forcing him out - claiming there are improvements so significant that he must leave. He's been living in the same spot for 31 years, he's a senior, and the rental market is tough. I moved my parents after they had lived in the same place for 31 years and belive me, it was not easy sorting or moving a life long of accumulation. Hold your pathetically FOX news sheep judgments - certainly you yourself will be judged one day. Take your high and mighty attitude and eff yourself. This used to be a website was about community - then the trolls took over.

SEMAG JUL 10, 2020 05:02 PM

CSF - As an alternative, you can play the investment card. If Robert's rental was perhaps $500/month on average under market rent since the year 2000, and each difference was placed into the stock market, that amount would be worth $302,000 right now.

AHCHOOO JUL 10, 2020 03:06 PM

Robert, I hope that your many friends and acquaintances in town will help connect you to a decent rental. I agree, our system of home ownership as a profit center is whacked. Most Californians are so used to the system, we can't see how it could be any different. And yet, as you say, in other countries people still find it worthwhile to be landlords, despite renters having more protections. Obviously our version of real property ownership is not working well for the majority of citizens, especially in Santa Barbara. I used to think I wanted to own a place with a rental unit, but the numbers have never worked out. And it is true that if one buys now, one would have to charge obscene rents just to make ends meet (unless one had enough cash up front to put down a 50% or more down payment, which is not feasible for any but the already-very wealthy). I guess I can be thankful that I had unpleasant rental experiences early on, which pushed me to buy a modest home three decades ago. And of course the housing market, both for rent and purchase, just keeps getting more out of line with incomes. The stress of being a renter in this environment can not be good for the health of our citizenry.

CHIP OF SB JUL 10, 2020 03:44 PM

Housing has become exceedingly expensive because the government has restricted development. Homes used to be very affordable in this area up into the 1970s when heavy handed restrictions on new development were implemented. However, you can still always buy or rent whatever you want if you can afford the market price. If you take away the right to build, prices will go up. Similarly, if you take away the ability to charge market rent, availability will go down. For example, if a law were passed that limited rent to no more than $1000 per month there would no longer be any rental housing available. Rent control will make things much worse! The solution is more development, not more regulation.

GENERALTREE JUL 10, 2020 03:01 PM

Some of the comments here are deplorable.... Maybe your mothers are proud?

OCEANDREW JUL 10, 2020 02:26 PM

Robert, I'm really sorry about your plight and misfortune. Having been a long term tenant typically makes you an asset to most landlords but all to often the Gordon Geckos of the world come in and strip the place bare and leverage it to the hilt to boost profits. It sucks your elderly landlords needed to sell and sold to such a profiteer. Alas you're now in the same boat most SB renters are in who live in properties that have changed hands in the last 20 odd years, properties saddled with debt that old timey rents just can't cover. Something's going to break, it has to 'coz a just and healthy society cannot afford to turn everyone to the streets who can't afford to pay exorbitant fees/rents but aren't paid fair wages. Best wishes finding something decent and affordable.

CHIP OF SB JUL 10, 2020 02:26 PM

If the "owner" of a property loses his right to raise the rent, remodel or renovate the property, or occupy the property, then I think the tenant has effectively taken ownership of the property. Challenging the concept of property ownership raises a number of interesting questions. If you owned a vacant house, would it be worth the risk of renting it to someone if the renter obtained the right to live in the house for life paying below market rent? How would that situation impact the availability of rental housing? How would the value of your house be impacted if prospective buyers didn't have the right to evict a tenant in order to move in? Would a property owner be entitled to have his property tax assessment lowered to 0 if his property was rendered unsaleable and worthless because a long term tenant refused to move out? Alternatively, would a tenant become responsible for paying the property tax if they effectively take ownership of the property?

SBLETSGETALONG JUL 10, 2020 02:20 PM

Sorry you need to move. Im not trying to be harsh, but the new owner has rights and expectations that tenants will pay fair market rent. I'm sure they gave you proper notice of 60 days when you refused to pay market value rent. I am also having a hard time with your blaming not being able to work because you were given a notice to move. Many people move and still go to work. And your stmt, " Some have said that this is just the risk one takes as a renter. But that is not true in civilized countries where renting is normal for most people". Anytime a person pays current value for a Property they expect to get current rental values. Over 60% of America are renters. You're not the only one that has to move because you do not own your own. You said yourself, you chose to not buy even though you could have. You should be glad you were paying under market rents for so long and you didn't put a down payment down to buy. Hopefully you saved that money since you were living below market value. Be happy you saved all that money over the 31 years. It's also troubling that you don't recognize that a new owner had to pay current market value for the property and needs to make an income off their investment. The person should be mad at, besides yourself for not taking control of your home by buying, is the old owner. Their cost basis was much lower and could afford to not raise your rents to market value. If they gave the property away for what they paid 31 years ago they could have stipulated to not raise your rents. But they didn't and you didn't ask them to. This new owner may do the same thing for new tenants. They may be a great land lord just as yours was. Just because you don't like paying market value rent, don't get mad at them. What is also troubling is that the new regulations force propertyowners to raise the rent every year to protect their investment. An income property is only worth its cash flow potential. If there are rent caps a land lord has to raise the rent every year to protect the value of their investment which means every year your rent go up unlike the old days where you stayed at under market rent until the property sold. Please don't blame others for something you could have prevented and something for which you've been underpaying for years.

LETMEGO JUL 10, 2020 02:52 PM

"but the new owner has rights and expectations that tenants will pay fair market rent." New owner should have considered the laws when they bought about how much you are allowed to increase rent. Renting in this town is TOUGH, but in the short term at least, it's still cheaper than owning. The cost to buy a house is higher per month than renting. Over the long term, you can make out. But I can say that we've owned our home for over 15 years now and monthly rent on the place would STILL be less than our mortgage + prop tax. I'm not sure when the break even point is, but it's probably closer to 30 years.

KATYKAT0531 JUL 10, 2020 02:18 PM

Robert, I don't know you, but have seen you riding the same bus as me from Goleta. I'm sorry you're going through this. However, it's the shock and fear right now, and no words can ease the pain. You will find another place soon...maybe a transitory spot and then onto another for a better move! Go forward! Don't look back!

SHASTA GUY JUL 10, 2020 02:15 PM

I hope you two can land safely in your feet.

MINIBEAST JUL 10, 2020 02:22 PM

*on your feet

BYZANTIUM JUL 10, 2020 02:08 PM

Santa Barbara Housing Authority has many, many low-income housing units for seniors in this town. Give them a call. Get on the waiting list. Subsidized senior housing is known for its higher turn-over. Much faster movement up the waiting list for subsidized senior housing in this town. SBHA has made living easy in this town for qualifying seniors - huge inventory and multiple options. Everyone needs to take a lot at the SBHA website to learn what we are already doing for our aging in place residents.

WINTER JUL 10, 2020 01:56 PM

Please don't bash him...I am a renter...have owned over 6 homes, in my lifetime. Bought here, in Santa Barbara, top of the market..in 2006. Got cancer...went into for closure... Was mortified.... Have been a good tenant...6 years, now 2 years...it is hard being a renter...been lucky to communicate, pay on time. But the neighbors, all know you are renters.

HUMANITARIAN2003 JUL 10, 2020 01:54 PM

After 35 years of occupying an office in downtown Santa Barbara, as well as making $300,000 worth of improvements at my own expense, a wealthy investor owning more than sixty downtown properties bought the building and raised rents from $2/s.f. to $8.60/s.f., essentially evicting everyone. I had two months to find another site. You don't have to look far to see this happening here at home as well.

SBTOWNIE JUL 10, 2020 08:24 PM

Thanks for sharing. The difference seems to be that our housing stock has just about as low a vacancy rate as is possible, even despite high rents. Our retail and commercial on the other hand has very high vacancy rates. So clearly the price gouging on commercial rents is not working out well. The market will bear the cost of housing, on the other hand.

CHICO BERKELEY JUL 10, 2020 01:31 PM

Robert,I'm sure a lot of folks here can relate to your plight.I hope you don't have to leave.You get to go and take pics with people in places that were me and my buddies extra large playground in the mountains and backcountry and you have been my connection for that now that I can't go anymore myself.Hope you can find a place in the area and continue exploring.

SIMPLETON JUL 10, 2020 01:28 PM

Robert, you admit that you could have bought a home, but made a conscious decision to not buy a home. You can now freely move to another rental as other adults do. You lost me when you called the choices you've made for 31 years an "injustice". We all have to grow up sometime.

MINIBEAST JUL 10, 2020 02:15 PM

Yes. Robert is now, through his own admission, living "The American Dream" of being a renter. It's a risk you take, when you could've bought a home and didn't. My Mother always used to say "What good is a shoebox full of rent receipts?" I've had friends in Santa Barbara buy brand new cars, have that extra kid, take very expensive vacations . . . Then, because they "chose to rent" instead of buy, well-----I told you so. Not that being a homeowner/landlord is without its pitfalls. As my one friend said, "Renters . . . UGH." (I have one now who owes me $4,000. Just lucky to get that deadbeat out when I did in mid-April----**Thank you, Covid-19**.)

A-1594476895 JUL 10, 2020 01:08 PM

The whole reason we bought a house 19 years ago is that the fixed rate mortgage payment was inflation protected and that we'd have control of our destiny.

BIGMAN JUL 10, 2020 12:57 PM

I can't believe the comments on here [some]. My family were LL's for YEARS in New York [Queens]. We had a tenant who lived there forever, basically until the property was sold. They NEVER raised his rent. He was a great tenant, kept the place up and even did his own repairs. It was a great relationship. I could just as easily say if you can't afford your property without a renter then don't buy it. It cuts both ways. So yes people can do what they like in our capitalist society - charge their high rents, do what they want with the property, all of that, but at what cost? Greed versus humanity. This is what our society is now, hence all the problems we are seeing. Lack of humanity. Entitlement. The rules only apply to me [I can buy a property I can't afford without renters], but not to you [too bad for you that you didn't buy property]. Total lack of soul.

SBLIFE JUL 10, 2020 01:20 PM

Having long-term tenants with reasonable rent rates does not make you a good person, just like purchasing a property and declining to renew the existing tenants' lease does not make you a bad person.

MP805 JUL 10, 2020 12:42 PM

Sorry to hear about your situation Robert, Is it possible to give a few more details if you feel comfortable... How many bed/baths is your unit, what was the rent and how much was the increase?

YACHT ROCKED JUL 10, 2020 12:17 PM

I'm sorry for your situation. But yeah, this is the risk you take as a renter, as balanced by the risk others take in lashing themselves to home ownership with a 30-year mortgage. Not many renters have a 31-year rental run.

GORDO JUL 10, 2020 11:49 AM

There are many reasons that the "American Dream" is of home ownership. You've just learned on of the big ones. You somehow feel that you have a right to live on that property simply because you have for so long. The world doesn't work that way (nor should it). If you are a good tenant you have the right to negotiate with the owner a price for your continued use that you are mutually agreed to. Nothing more. If you are not a good tenant the owner can/will do what he can to discourage you from staying.

A-1594476895 JUL 10, 2020 08:50 PM

There are a lot of bad tenants out there as most landlords have discovered. When you find a good one you truly want to encourage them to stay.

SBLIFE JUL 10, 2020 01:15 PM

*but even if you are a good tenant, that may not be enough for the owner to want to work with you. Just because an owner won't work with you, doesn't mean you are a bad tenant.

DBD JUL 10, 2020 11:48 AM

Sorry to hear of your situation. If your rental is below market, the owners have less money in their pocket, so you can have more money in yours. Fairness depends on perspective. If you look at CAP rates locally, I doubt they are making tons of money on this new investment either. Ownership is risky too.

LUCKY 777 JUL 10, 2020 11:33 AM

As you said : "But I had no interest in the "American Dream" of home ownership." So you made your choice.

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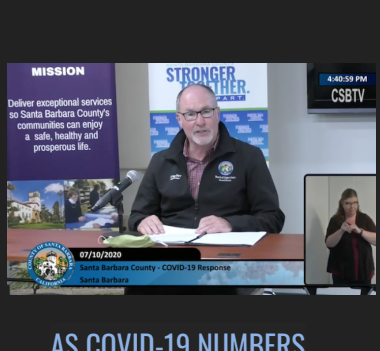

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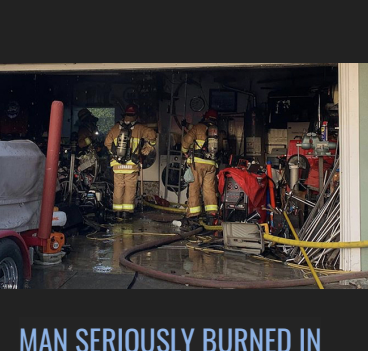

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